



#5  
PATENT

Attorney Docket No. 2710

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

MARTINSEN et al.

Group Art Unit: 2183

Serial No. 09/677,445

Examiner: Not Assigned

Filed: September 29, 2000

For: Method for Synchronously Binding an External Behavior  
to a Web Page Element

RECEIVED

JUN 21 2001

PETITION UNDER 37 C.F.R. 1.47(a)

OFFICE OF PETITIONS

Assistant Commissioner for Patents  
Washington, D.C. 20231

The undersigned, on behalf of the Applicants, hereby petitions under 37 C.F.R. 1.47(a) to include the inventor Dave Cox, who could not be reached for signature, in the application filed on September 29, 2000. The undersigned has made a diligent effort to locate inventor Dave Cox as is evidenced in the attached Statement of Facts required under 37 C.F.R. 1.47(a).

A Petition fee in the amount of \$130.00 is included with the Response to Notice to File Missing Parts filed concurrently herewith. The Patent Office is hereby authorized to charge any additional fees associated with this submission to Deposit Account 50-1618.

Respectfully submitted,

Roger D. Wylie, Reg. No. 36,395  
One of the Attorneys for Applicants  
Michalik & Wylie, PLLC  
14645 Bel-Red Road, Ste 103  
Bellevue, Washington 98007  
(425) 653-3520 (telephone)  
(425) 653-3603 (facsimile)

05/23/2001 DTESSEM1 00000078 501618 09677445

07 FC:122 130.00 CH

Adjustment date: 07/30/2001 LGIBBS  
05/23/2001 DTESSEM1 00000078 501618 09677445  
07 FC:122 130.00 CR



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**STATEMENT OF FACTS**

- 1) Inventor Dave Cox is no longer employed with the Assignee of the present invention, Microsoft Corporation.
- 2) On April 13, 2001, a letter was mailed by Express Mail to the last known address of Dave Cox, 16549 NE 36<sup>th</sup> Ct., Apt. NN204, Redmond, WA 98052. A copy of the Express Mail envelope indicating that the documents were mailed and were returned because the addressee had moved and left no forwarding address, is attached as Exhibit A.
- 3) On numerous occasions from March 27, 2001 to April 11, 2001, telephone messages were left at telephone number 425-868-6429 for "Dave Cox" in Redmond, Washington regarding the subject application. On April 11, 2001, "Dave Cox" returned the call, and indicated that he knew nothing of the subject application, and that he was not the person named therein.
- 4) On May 15, 2001, a call was made to telephone number 425-861-1033 for "David Cox" in Redmond, Washington. The number had been disconnected.
- 5) The phone numbers for both "Dave Cox" and "David Cox" in Redmond, Washington were obtained through MSN.com's White Pages directory. Copies of the directory pages are attached as Exhibits B and C, respectively.
- 6) Attempts were made to locate more current contact information for Dave Cox by Microsoft employee, Sindie Chang. An email, attached as Exhibit D, indicates that attempts by Microsoft Corporation to locate Dave Cox via his former colleagues, was unsuccessful.

All statements made herein of my own knowledge are true and all statements made on information and belief are believed to be true, and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patents issuing thereon.

Date: 5/18/2001

Sherie L. Dodson  
Sherie L. Dodson

Date: 5/18/2001

Roger D. Wylie  
Roger D. Wylie

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inquiries call 1-425-936-2910

Microsoft Corp.  
Kris Markel  
22626 NE Inglewood  
H APT 522  
Redmond, WA 98053

AIRBORNE EXPRESS  
ROUTE SERVICE  
KIRH 1X FTH NAS



4667 538 890

\*01075200118112 EMAIL:sindie  
\*\*0420053 WGT: 1  
\*(425) 898-07 JOB #:

DATE: 02/27  
BOX 1 OF 1

(Label: F\_ARBPMS Rev #JR120400 Station # 2)

113 1156  
Room Build LCN

To: Sindie E. Chang  
Phone: +1(425)936-8818  
Priority: Normal



TAG PRINTED 3/5/2001 11:57:34 AM PACKAGE  
SHIPMENT NAME: Default Shipment  
PROCESSOR: DSTPHENIS

**AIRBORNE EXPRESS**

Dear Airborne Customer, We're sorry for the delay. We tried to deliver your package but were unable to because:

☐ Delivery location closed. ☐ Signature Required/No one to accept. ☐ CO Signature Payment not ready.

☐ Residence delivery/No secure area to ☐ Incorrect address/zip. Please notify sender to correct address.

☐ Other

**Redelivery Information:**

☐ Original Address Confirmed

ATTEMPT DATE REDELIVER DATE ☐ LMT ☐ MSA2 ☐ MSAD

Notes: email can

¡VUY URGENTE

Favor de entregar urgentemente al destinatario

Para recolección o localización, llame al 1-800-222-1811

RECIPIENT

The sender has requested notification upon delivery.  
Immediately upon receipt, please telephone:

Name:

Tel. No.: ( )

DESTINATARIO

El remitente ha solicitado notificación al momento de la entrega.  
Inmediatamente al recibir el correo, por favor llame al:

14645 Bel-Red Rd.

Suite 103

Bellevue, WA 98007

stamps.com \$16.000

MAY 14 2001

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POST OFFICE TO ADDRESSEE

EJ818768245US

ORIGIN (POSTAL USE ONLY)		Day of Delivery		Flat Rate Envelope
PO ZIP Code	98199	<input checked="" type="checkbox"/> Next	<input type="checkbox"/> Second	<input type="checkbox"/>
Date in	May 14 2001	<input checked="" type="checkbox"/> 12 Noon	<input type="checkbox"/> 3 PM	Postage \$ 16.02
No.	16153	<input type="checkbox"/> Military	<input type="checkbox"/> Int'l Alpha Country Code	Return Receipt Fee
Time in	16:53	<input type="checkbox"/> 2nd Day	<input type="checkbox"/> 3rd Day	COD Fee
Weight	15.0 ozs.	<input type="checkbox"/> No Delivery	<input type="checkbox"/> Holiday	Insurance Fee
Acceptance Clerk Initials		Total Postage & Fees		
DML		\$ 16.02		

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METHOD OF PAYMENT:

Express Mail Corporate Acct. No.

Federal Agency Acct. No. or Postal Service Acct. No.

FROM: (PLEASE PRINT)

PHONE

425.653.3520

MICHALIK & WYLIE, PLLC  
14645 BEL-RED ROAD  
SUITE 103  
BELLEVUE, WA 98007

2710

DELIVERY (POSTAL USE ONLY)		Time		Employee Signature
Delivery Attempt	5/15/01	<input checked="" type="checkbox"/> AM	<input type="checkbox"/> PM	FOE
Mo.	Day	<input type="checkbox"/> AM	<input type="checkbox"/> PM	Employee Signature
Mo.	Day	<input type="checkbox"/> AM	<input type="checkbox"/> PM	Employee Signature
Mo.	Day	<input type="checkbox"/> AM	<input type="checkbox"/> PM	Employee Signature
Signature of Addressee or Agent		Name - Please Print		

UNITED STATES POSTAL SERVICE®

WAVES OF SIGNATURE

MOVED, LEFT NO ADDRESS

NOT DELIVERABLE AS ADDRESSED

UNABLE TO FORWARD

ATTEMPTED - NOT KNOWN

UNCLAIMED

NO SUCH STREET

NO SUCH NUMBER

INSUFFICIENT ADDRESS



Signature of Addressee or Agent

Signature of Addressee or Agent

Signature of Addressee or Agent

Signature of Addressee or Agent

Signature of Addressee or Agent

Signature of Addressee or Agent

Signature of Addressee or Agent

Signature of Addressee or Agent

Signature of Addressee or Agent

Signature of Addressee or Agent

Signature of Addressee or Agent

Signature of Addressee or Agent

Signature of Addressee or Agent

Signature of Addressee or Agent



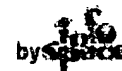
Mailing Label

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[MSN Home](#) [Hotmail](#) [Web Search](#) [Shopping](#) [Money](#) [People & Chat](#)

First Name Last Name [Click here to find K Markel.](#)

## White Pages Search Results



[White Pages Home](#) [Reverse Number Lookup](#) [Email Search](#) [Yellow Pages](#)

### 'Add To Outlook' Help

Sorry, no matches were found.

- ▶ [Add your listing to the White Pages](#)
- ▶ [Search for public records on US SEARCH.com](#)
- ▶ [Find old High School friends](#)

### Refine Your Search

Last Name First Name/Initial City State/Province  
(required for US and Canada) ☐ Including Surrounding Region (U.S. Only)Country  
(required) 

**Note:** To search a country not listed above, see our list of [World Directories](#).

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Criminal Record  
Credit Report

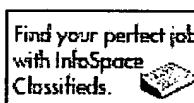
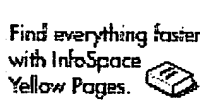
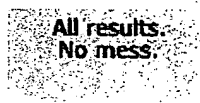
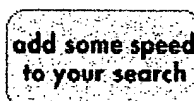


### Horoscopes:

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### Other Searches

[eShopping](#)  
[Health](#)  
[Classifieds](#)  
[Movie Listings](#)  
[International](#)  
[Fun Stuff](#)  
[Government](#)

data by **ACTION**

Protected by One or More of the Following Patents: U.S. Patent No. 6,016,504. Other Patents Pending.

[White Pages Home](#) [Reverse Number Lookup](#) [Email Search](#) [Yellow Pages](#)

### Other Links:

[MSN Explorer](#)  
[Chat](#)

### Special Features:

[eShop: great stores, great deals](#)  
[Are your friends online?](#)

[MSN Home](#) [Hotmail](#) [Web Search](#) [Shopping](#) [Money](#) [People & Chat](#)

First Name Last Name [Click here to find Dave Cox.](#)

## White Pages Search Results



[White Pages Home](#) [Reverse Number Lookup](#) [Email Search](#) [Yellow Pages](#)

### 'Add To Outlook' Help

Result 1 of 3 [\[previous\]](#) [\[next\]](#) [\[list\]](#)

[update/remove](#) | [add listing](#)

Dave Cox



Redmond, WA 98052

Phone: 425-868-6429

[1-Click Sync](#)  
to my contacts

### More for Dave Cox:

• [Map](#) • [Email Search](#) •

• [Dave Cox is in our Database! Click Here](#)

• [Find Dave Cox at ClassMates.com](#)

### • [Business in Redmond](#)

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[Automotive](#)  
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[All Categories...](#)

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• [Washington](#)  
[Lottery Results](#)

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[Government](#)

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Last Name First  
Name/Initial City State/Province  
(required for US  
and Canada) ☐ Including Surrounding Region (U.S. Only)Country  
(required)

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First Name Last Name [Click here to find David Cox.](#)


## White Pages Search Results




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### 'Add To Outlook' Help

Result 2 of 3 [\[previous\]](#) [\[next\]](#) [\[list\]](#)[update/remove](#) | [add listing](#)

**David Cox**   
 7435 159th PI NE  
 Redmond, WA 98052

Phone: 425-861-1033

 **1-Click Sync™**  
 to my contacts

### More for David Cox:

• [Map](#) • [Directions](#) • [Email Search](#) • [Find Neighbors](#) •

• [David Cox is in our Database! Click Here](#)  
 • [Find David Cox at ClassMates.com](#)

### • [Businesses near David Cox](#)

[Restaurants](#)  
[Automotive](#)  
[Entertainment](#)  
[Family](#)  
[Medical](#)  
[Retail & Community](#)  
[All Categories...](#)

### • [Redmond Services](#)

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### Refine Your Search

Last Name First Name/Initial City State/Province  (required for US and Canada)☐ Including Surrounding Region (U.S. Only)

Country

**Sherie Dodson (Praesidium Legis)**

---

**From:** Sindie Chang (LCA)  
**Sent:** Wednesday, April 11, 2001 4:37 PM  
**To:** Sherie Dodson (Praesidium Legis)  
**Cc:** Melissa Whitmore (LCA); Roger Wylie (Michalik & Wylie PLLC); Sindie Chang (LCA)  
**Subject:** RE: Formal Papers in MS 155510.1, M&W 2710

Yes, we have checked with their co-inventors and they do not know how we can get a hold of them.

-----Original Message-----

**From:** Sherie Dodson (Praesidium Legis)  
**Sent:** Wednesday, April 11, 2001 4:24 PM  
**To:** Sindie Chang (LCA)  
**Cc:** Melissa Whitmore (LCA); Roger Wylie (Michalik & Wylie)  
**Subject:** RE: Formal Papers in MS 155510.1, M&W 2710

Sindie,

Have you folks attempted to get email addresses/phone numbers from co-workers who knew Kris Markel &/or Dave Cox? Perhaps their co-inventors, or other dev group members may still be in contact with them, or know where they went after leaving Microsoft? Any additional information you can provide would be helpful.

Thanks for your input,

Sherie  
 for MICHALIK & WYLIE

-----Original Message-----

**From:** Sindie Chang (LCA)  
**Sent:** Friday, April 06, 2001 1:12 PM  
**To:** Sherie Dodson (Praesidium Legis)  
**Cc:** Melissa Whitmore (LCA); Sindie Chang (LCA); Roger Wylie (Michalik & Wylie)  
**Subject:** RE: Formal Papers in MS 155510.1, M&W 2710

Hi Sherie,

Today I am sending you the express mail enveloped that was returned to me on March 5, 2001. Please let me know if you do not receive it by Monday afternoon on April 9, 2001.

Thank you,  
 Sindie

-----Original Message-----

**From:** Sherie Dodson (Praesidium Legis)  
**Sent:** Friday, April 06, 2001 10:23 AM  
**To:** Sindie Chang (LCA)  
**Cc:** Patent Group Docketing Dept.; Melissa Whitmore (LCA); Roger Wylie (Michalik & Wylie); Sherie Dodson (Praesidium Legis)  
**Subject:** RE: Formal Papers in MS 155510.1, M&W 2710

Hi Sindie,

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EP-13A SEPTEMBER 1993

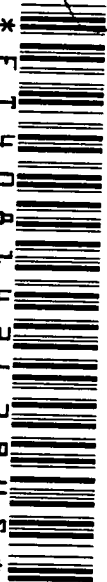
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Date Mo. 4 Day 13 Year 01	Time <input type="checkbox"/> AM <input checked="" type="checkbox"/> PM 4:30	Postage \$ 16-
Weight lbs. 12.60 ozs.	Military <input type="checkbox"/> 2nd Day <input type="checkbox"/> 3rd Day	Return Receipt Fee <input type="checkbox"/>
No Delivery <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday	Int'l Alpha Country Code	Insurance Fee
Acceptance Clerk <i>[Signature]</i>	COD Fee	
Total Postage & Fees \$ 16-		

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Delivery Attempt Mo. 14 Day 01	Time <input type="checkbox"/> AM <input checked="" type="checkbox"/> PM	Signature <i>[Signature]</i>
Delivery Date	Time	
<input type="checkbox"/> MOVED LEFT NO ADDRESS <input type="checkbox"/> ATTEMPTED BUT NOT KNOWN <input type="checkbox"/> NO SUCH STREET OR NUMBER <input type="checkbox"/> NO SUCH CITY OR STATE <input type="checkbox"/> NO SUCH ZIP CODE <input type="checkbox"/> NO MAIL RECEIVED <input type="checkbox"/> NO MAIL RETURNED TO SENDER <input type="checkbox"/> NO MAIL DELIVERABLE AS ADDRESSED <input type="checkbox"/> UNDELIVERABLE AS ADDRESSED <input type="checkbox"/> UNDELIVERABLE AS ADDRESSED <input type="checkbox"/> UNDELIVERABLE AS ADDRESSED		
Special merchandise insurance is void if waiver of without obtaining signature of addressee or addressee's agent or delivery.		
Customer Signature <i>[Signature]</i>		

Mailing Label  
Label 11-B August 2000

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METHOD OF PAYMENT

Express Mail Corporate Acct. No.

FROM: (PLEASE PRINT)

PHONE 425.1653.3520

MICHAEL F WYLLIE  
14645 BEL-RED ROAD  
SUITE 103  
BELLEVUE, WA 98007  
8710

TO: (PLEASE PRINT)

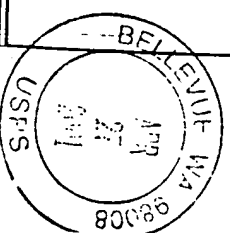
PHONE

DAVE COX  
16549 NE 36th Ct.  
APT. N1204  
REDMOND, WA 98052  
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